



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Paper No. 5

FUESS & DAVIDENAS  
17258 AMARILLO RD  
RAMONA CA 92065

**COPY MAILED**

JUL 14 2003

**OFFICE OF PETITIONS**

In re Application of  
Tony Yaksh  
Application No. 09/765,063  
Filed: January 17, 2001  
Attorney Docket No. SD98-024

DECISION ON PETITION

This is a decision on the petition filed July 1, 2003, pursuant to 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely reply to the Notice to File Missing Parts of Nonprovisional Application, mailed February 28, 2001. This Notice set a period for reply of two months from the mail date of the Notice to submit an executed oath or declaration (and surcharge for its late filing), together with the statutory filing fee. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. No reply having been received, the above-identified application became abandoned on April 29, 2001. A Notice of Abandonment was mailed on August 26, 2001.

With the instant petition, petitioner paid the statutory filing fee and submitted an executed declaration (with surcharge for its late filing), paid the petition fee, and made the proper statement of unintentional delay.

As petitioner previously paid the petition fee on May 30, 2003, the \$650 petition fee submitted with the petition on July 1, 2003 will be refunded to petitioner under separate cover.

The application file is being forwarded to the Office of Initial Patent Examination for pre-examination processing.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-0272.

*Cliff Congo*

Cliff Congo  
Petitions Attorney  
Office of Petitions